

**THE EFFECTIVE DATE OF THIS ORDINANCE IS OCTOBER 7, 2005**

**ORDINANCE NO. 05-25-386**

**Zoning Text Amendment No. ZT 05-03**

**RE: Video Lottery Facilities**

**PREAMBLE**

A duly advertised public hearing was held on this Ordinance on September 27, 2005. The public had an opportunity to comment on this Ordinance at this public hearing.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY, MARYLAND, that the Frederick County Code be amended to add the following:

**§ 1-19-4. DEFINITIONS.**

***VIDEO LOTTERY FACILITY.*** MEANS A FACILITY AT WHICH VIDEO LOTTERY TERMINAL PLAYERS PLAY VIDEO LOTTERY TERMINALS.

***VIDEO LOTTERY TERMINAL.*** MEANS ANY MACHINE OR OTHER DEVICE THAT, ON INSERTION OF A BILL, COIN, TOKEN, TICKET, COUPON OR SIMILAR ITEM, OR ON PAYMENT OF ANY CONSIDERATION:

(a) IS AVAILABLE TO PLAY OR SIMULATE THE PLAY OF ANY GAME OF CHANCE IN WHICH THE RESULTS, INCLUDING THE OPTIONS AVAILABLE TO THE VIDEO LOTTERY TERMINAL PLAYER, ARE RANDOMLY

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**CAPITALS INDICATE MATTER ADDED TO EXISTING LAW,  
[Brackets] indicate matter deleted from existing law.**

AND IMMEDIATELY DETERMINED BY THE MACHINE OR OTHER DEVICE;  
AND

(b) BY THE ELEMENT OF CHANCE, MAY DELIVER OR ENTITLE THE VIDEO LOTTERY TERMINAL PLAYER WHO OPERATES THE MACHINE OR DEVICE TO RECEIVE CASH, PREMIUMS, MERCHANDISE, TOKENS, OR ANYTHING OF VALUE, WHETHER THE PAYOUT IS MADE AUTOMATICALLY FROM THE DEVICE OR IN ANY OTHER MANNER.

***VIDEO LOTTERY TERMINAL*** INCLUDES A MACHINE OR DEVICE:

(a) THAT DOES NOT DIRECTLY DISPENSE MONEY, TOKENS, OR ANYTHING OF VALUE TO WINNING VIDEO LOTTERY TERMINAL PLAYERS; AND

(b) DESCRIBED IN THIS DEFINITION THAT USES AN ELECTRONIC CREDIT SYSTEM MAKING THE DEPOSIT OF BILLS, COINS, OR TOKENS UNNECESSARY.

***VIDEO LOTTERY TERMINAL*** DOES NOT INCLUDE A MACHINE OR DEVICE THAT IS AVAILABLE TO PLAY THE MARYLAND STATE LOTTERY CONDUCTED UNDER SECTIONS 9-101 AND FOLLOWING OF THE STATE GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

***VIDEO LOTTERY TERMINAL PLAYER.*** MEANS AN INDIVIDUAL WHO PLAYS A VIDEO LOTTERY TERMINAL IN A VIDEO LOTTERY FACILITY.

***DIVISION 9. PROHIBITION OF VIDEO LOTTERY FACILITIES***

**§ 1-19-215.** NO BUILDING, LAND OR STRUCTURE IN ANY ZONING DISTRICT SHALL BE USED FOR A VIDEO LOTTERY FACILITY. THIS PROVISION DOES NOT APPLY TO GAMING PERMITTED UNDER FREDERICK COUNTY CODE SECTION 1-2-101 AND FOLLOWING.

**§ 1-19-289. USE REGULATIONS FOR SPECIFIC ZONING DISTRICTS.**

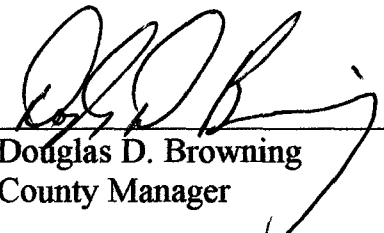
<i>Commercial Amusements</i>														
<i>Uses</i>	<i>RC</i>	<i>A</i>	<i>R1</i>	<i>R3</i>	<i>R5</i>	<i>R8</i>	<i>R12</i>	<i>R16</i>	<i>VC</i>	<i>HS</i>	<i>GC</i>	<i>ORI</i>	<i>LI</i>	<i>GI</i>
Video Lottery Facility														

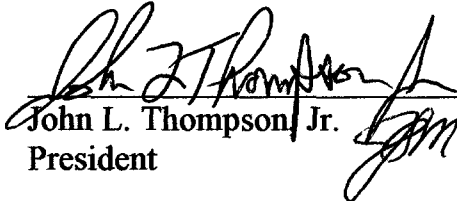
AND BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall take effect on October 7, 2005.

The undersigned hereby certifies that this Ordinance was approved and adopted on the 27th day of September, 2005.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF FREDERICK COUNTY, MARYLAND

  
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Douglas D. Browning  
County Manager

  
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John L. Thompson Jr.  
President